

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GERALD SPENCE,

Plaintiff, No. CIV S-05-0690 GEB KJM P

vs.

DIRECTOR OF CORRECTIONS, et al.,

Defendants. ORDER

Plaintiff is a prisoner who is proceeding pro se and in forma pauperis. Plaintiff seeks relief based on 42 U.S.C. § 1983.

On February 13, 2006, the court ordered the United States Marshal to serve the complaint on defendants. Process directed to defendant Fleishman was returned unserved with the notation “CDC locator unable to locate.” Plaintiff must provide additional information to serve this defendant. Plaintiff shall promptly seek such information through discovery, the California Public Records Act, Calif. Gov’t. Code § 6250, et seq., or other means available to plaintiff. If access to the required information is denied or unreasonably delayed, plaintiff may seek judicial intervention.

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1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The Clerk of the Court is directed to send to plaintiff one USM-285 form,
3 along with an instruction sheet and a copy of the complaint filed April 11, 2005;

4 2. Within sixty days from the date of this order, plaintiff shall complete and
5 submit the attached Notice of Submission of Documents to the court, with the following
6 documents:

7 a. One completed USM-285 form for defendant Fleishman;
8 b. Two copies of the endorsed complaint filed April 11, 2005; and
9 c. One completed summons form (if not previously provided)

10 or show good cause why he cannot provide such information.

11 DATED: May 31, 2006.

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14 UNITED STATES MAGISTRATE JUDGE
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FOR THE EASTERN DISTRICT OF CALIFORNIA

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Plaintiff, No. CIV S-05-0690 GEB KJM P

vs.

DIRECTOR OF CORRECTIONS, et al.,

Defendants. NOTICE OF SUBMISSION

/ OF DOCUMENTS

Plaintiff hereby submits the following documents in compliance with the court's
order filed _____:

_____ completed summons form (if not previously provided)

_____ completed USM-285 form

_____ copies of the April 11, 2005
Complaint

DATED:

Plaintiff